

Filed for intro on 02/08/95  
Senate Bill \_\_\_\_\_  
By \_\_\_\_\_

House No. HB0835  
By Beavers

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 4, Part 1 and Title 68, Chapter 201, Part 1, relative to granting a waiver from the emissions testing program for certain eligible individuals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-4-128(a), is amended by adding the following new subdivision:

(3) The owner of a motor vehicle which did not successfully complete an emissions test administered prior to the date fixed for issuance or renewal and, after attempting the repairs necessary to successfully complete the emissions test fails the emissions testing again, shall be eligible to apply for a waiver from further emissions testing for that year if the owner has spent more than two hundred fifty dollars (\$250) to achieve compliance, or has attempted repairs in such amount as established by the environmental protection agency of the United States government to make the owner of a motor vehicle eligible for a waiver, whichever is less. The air pollution control board shall establish guidelines and procedures to grant a waiver.

SECTION 2. Tennessee Code Annotated, Section 68-201-105(a)(1), is amended by deleting the item in its entirety and by substituting instead the following:

(1) Promulgate rules and regulations to effect the intent and purpose of this part, pursuant to the provisions of the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5. Such rules and regulations may include, but are not necessarily limited to, those defining: ambient air quality standards; emissions standards, including the requirements necessary to be eligible for a waiver from emissions testing in a county designated as non-attainment as set out in Tennessee Code Annotated, Section 55-4-130; general policies or plans; a system of permits; and a schedule of fees for review of plans and specifications, issuance or renewal of permits or inspection of air contaminant sources. Emissions standards for stationary sources adopted by the board shall include regulations based on the weight of materials entering the process causing the emission as an optional alternative to regulations previously adopted.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.